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To: Assembly Committee on Property Rights

From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities

Date: February 20, 2008

Re: Opposition to AB 805, Takings Legislation

The League of Wisconsin Municipalities strongly opposes AB 805, which would require communities to compensate property owners for reductions in property values resulting from zoning and other land use decisions. The bill radically changes takings law in this state. If enacted it would either dramatically increase local government costs, which are ultimately borne by property taxpayers, or significantly reduce local zoning and planning activities.

Specifically, AB 805 creates a process for property owners to seek compensation from a municipality for enactment or enforcement of any regulation that restricts the use of the property and reduces the fair market value of that property. The bill is modeled after legislation initiated in Oregon, known as Measure 37.

AB 805 is inconsistent with this Legislature's focus on curtailing property tax increases through levy limits.

Moreover, the bill will reduce a municipality's ability and willingness to adopt, amend or enforce zoning and other land use regulations that are intended to protect the overall public health, safety and general welfare of the community.

For the above reasons we urge you to vote against recommending passage of AB 805. Thanks for considering our concerns about this problematic piece of legislation.

AMERICANS FOR PROSPERITY

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Date: February 20, 2008

To: Members of the Assembly Committee on Property Rights

From: Mark Block, State Director, Americans for Prosperity-Wisconsin

Re: 2007 Assembly Bill 805: Compensation for the reduction in the fair market value of private real property.

Americans for Prosperity (AFP) strongly supports Assembly Bill 805 introduced by Representative Williams.

AFP is a free-market grassroots organization committed to educating and mobilizing citizens about economic policy and the public policy process. AFP supports policies that limit government and allow free market principles to work on the local, state and federal levels.

On behalf of our over 12,000 grassroots members in Wisconsin we support Assembly Bill 805 that would allow an owner of private real property to seek compensation from the state or a political subdivision of the state if the governmental unit restricts the use of the property and reduces its fair value.

Americans for Prosperity urges the committee to support AB 805.